

DOCKET NO. BA0435US (NORT10-00077)

PATENT

Customer No. 33000



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : Matthew W. Poisson, et al.
U.S. Serial No. : 09/285,550
Filed : April 2, 1999
For : MONITORING A VIRTUAL PRIVATE NETWORK
Group No. : 2157
Examiner : S. Najjar

MAIL STOP ISSUE FEE

Commissioner for Patents
P.O. Box 1450
Arlington, VA 22313-1450

Sir:

**REQUEST FOR OFFICE TO CONFIRM CONSIDERATION OF
PREVIOUSLY SUBMITTED INFORMATION DISCLOSURE STATEMENTS**

Applicant hereby requests the Office to confirm consideration of the following Information Disclosure Statements previously submitted to the United States Patent and Trademark Office. Copies of the Information Disclosure Statements (without references) as filed are submitted herewith.

1. Information Disclosure Statement submitted on May 30, 2003;
2. Information Disclosure Statement submitted on June 20, 2003;
3. Information Disclosure Statement submitted on August 27, 2003; and

4. Information Disclosure Statement submitted on November 26, 2003.

Applicant has not received initialed copies of the respective PTO/SB/08A forms for these previously filed Information Disclosure Statements. Applicant hereby requests that the Office provide Applicant with the initialed forms (evidencing consideration of the references cited therein). However, in the event the Office has not considered these references, Applicant respectfully request such consideration.

Respectfully submitted,

Date: 12/10/2004

P.O. Drawer 800889
Dallas, Texas 75380
Phone: (972) 628-3600
Fax: (972) 628-3616
E-mail: rmccutcheon@davismunck.com


Robert D. McCutcheon
Reg. No. 38,717

Mailed: June 20, 2003
In re. Application of: Matthew W. Poisson, et al.
Serial No.: 09/285,550
Filed: April 2, 1999
Title: MONITORING A VIRTUAL PRIVATE NETWORK
Docket No.: BA0435US (NORT10-00077)

The following documents were received in the U.S. Patent and Trademark Office on the date stamped below:

- 1) Certificate of Mailing by First Class Mail;
- 2) Information Disclosure Statement;
- 3) PTO/SB/08A; and
- 4) One (1) reference as cited on Information Disclosure Statement.



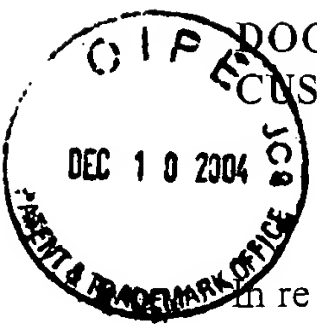
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DAVIS MUNCK

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JUL - 3 2003



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In re application of: Matthew W. Poisson, et al.

Serial No.: 09/285,550

Filed: April 2, 1999

For: MONITORING A VIRTUAL PRIVATE NETWORK

Group No.: 2154

Examiner: S. Najjar

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

Sir:

The undersigned hereby certifies that the following documents:

1. Information Disclosure Statement;
2. PTO/SB/08A;
3. One (1) reference as cited on Information Disclosure Statement; and
4. A postcard receipt;

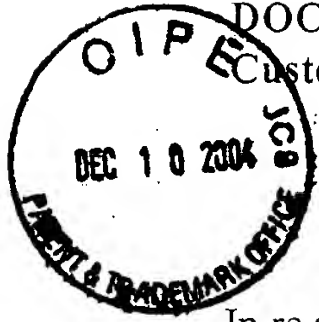
relating to the above application, were deposited as "First Class Mail" with the United States Postal Service, addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on June 20, 2003.

Date: 6/20/03

Date: 6/20/2003

Kathy Cedon
Mailer
Robert D. McCutcheon
Robert D. McCutcheon
Registration No. 38,717

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Dallas, Texas 75380
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Dear Sir:

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Pursuant to the duty of disclosure under 37 C.F.R. § 1.56, Applicant submits this statement. This submittal is made in accordance with 37 C.F.R. §§ 1.97 and 1.98 and § 609 of the Manual of Patent Examining Procedure. The patents, publications and other information herein are listed below and on the attached Form PTO/SB/08A. Copies of the listed references are submitted herewith.

U.S. PATENT NO.

6,408,336

INVENTOR

Schneider et al.

DATE

June 18, 2002

Applicant hereby expressly reserves the right to swear behind the effective dates of any of the above Patents and to question the relevance and materiality of the Patents and Publications listed herein, in whole, in part, or in combination, subsequent to filing this Information Disclosure Statement.

In accordance with 37 C.F.R. § 1.97 (e), the undersigned certifies that no item of information cited in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Each item of information cited in this Information Disclosure Statement was cited by the Patent Office in a related application in the Office Action mailed May 27, 2003 in U.S. Patent Application Serial No. 09/285,558.

Further, pursuant to 37 C.F.R. § 1.97(e) and the above statements, no fee is believed to be due for the filing of this Information Disclosure Statement.

Respectfully submitted,

DAVIS MUNCK, P.C.

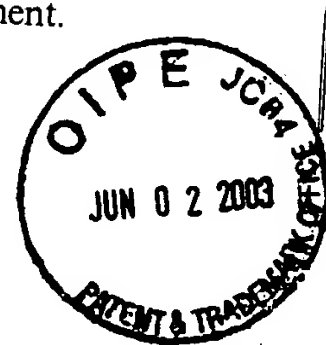
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Mailed: May 30, 2003
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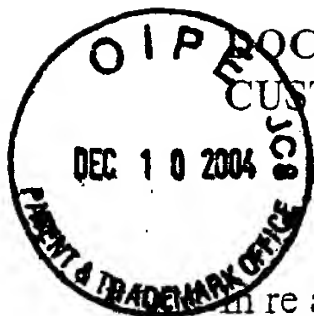
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In re application of: Matthew W. Poisson, et al.

Serial No.: 09/285,550

Filed: April 2, 1999

For: MONITORING A VIRTUAL PRIVATE NETWORK

Group No.: 2154

Examiner: S. Najjar

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Date: 5/30/03

Date: 5/30/2003

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<u>U.S. PATENT NO.</u>	<u>INVENTOR</u>	<u>DATE</u>
5,926,463	Ahearn et al.	July 20, 1999
6,209,031	Casey et al.	March 27, 2001
6,526,442	Stupek, Jr. et al.	February 25, 2003

Applicant hereby expressly reserves the right to swear behind the effective dates of any of the above Patents and to question the relevance and materiality of the Patents and Publications listed

herein, in whole, in part, or in combination, subsequent to filing this Information Disclosure Statement.

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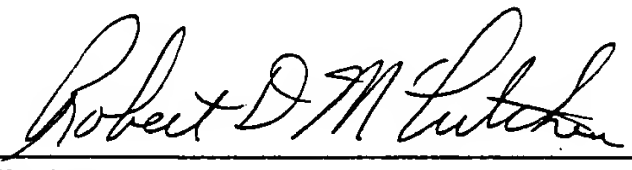
Each item of information cited in this Information Disclosure Statement was cited by the Patent Office in a related application in the Office Action mailed May 13, 2003 in U.S. Patent Application Serial No. 09/285,133.

Further, pursuant to 37 C.F.R. § 1.97(e) and the above statements, no fee is believed to be due for the filing of this Information Disclosure Statement.

Respectfully submitted,

DAVIS MUNCK, P.C.

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Robert D. McCutcheon
Registration No. 38,717

Substitute for form 1449A/PTO				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>				Application Number	09/285,550
				Filing Date	04/02/1999
				First Named Inventor	Matthew W. Poisson et al.
				Art Unit	2154
				Examiner Name	S. Najjar
				Attorney Docket Number	B0435US (NORT10-00077)
Sheet	1	of	1		

Mailed: August 27, 2003
In re. Application of: Matthew W. Poisson, et al.
Serial No.: 09/285,550
Filed: April 2, 1999
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- 4) Eight (8) references as cited on Information Disclosure Statement;
- 5) Change of Correspondence Address

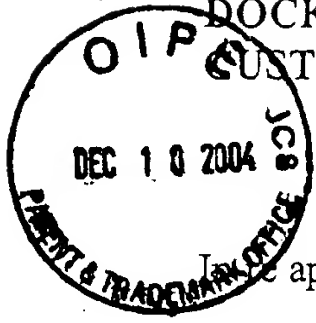


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DAVIS MUNCK



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Date: 8/27/03

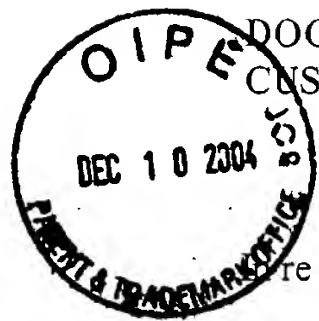
Date: 8/27/2003

Kathy Cedar
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P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

CHANGE OF CORRESPONDENCE ADDRESS

Please direct future correspondence and telephone calls relating to this patent application to the following:

Docket Clerk
P.O. Drawer 800889
Dallas, Texas 75380

Phone: (972) 628-3600
Fax: (972) 628-3616

Respectfully submitted,

DAVIS MUNCK, P.C.

Date: 8/27/2003

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<u>U.S. PATENT NO.</u>	<u>INVENTOR</u>	<u>DATE</u>
5,862,339	Bonnaure et al.	January 19, 1999
5,963,913	Henneuse et al.	October 5, 1999
5,978,848	Maddalozzo, Jr. et al.	November 2, 1999
6,233,618	Shannon	May 15, 2001

<u>U.S. PATENT NO.</u>	<u>INVENTOR</u>	<u>DATE</u>
6,243,815	Antur et al.	June 5, 2001
6,256,739	Skopp et al.	July 3, 2001
6,304,909	Mullaly et al.	October 16, 2001
6,369,840	Barnett et al.	April 9, 2002

Applicant hereby expressly reserves the right to swear behind the effective dates of any of the above Patents and to question the relevance and materiality of the Patents and Publications listed herein, in whole, in part, or in combination, subsequent to filing this Information Disclosure Statement.

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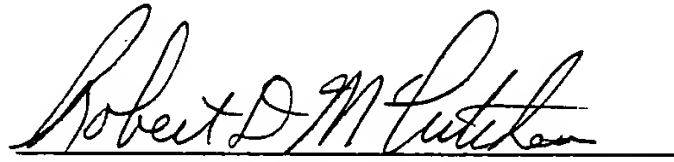
Each item of information cited in this Information Disclosure Statement was cited by the Patent Office in a related application in the Office Action mailed August 11, 2003 in U.S. Patent Application Serial No. 09/285,133.

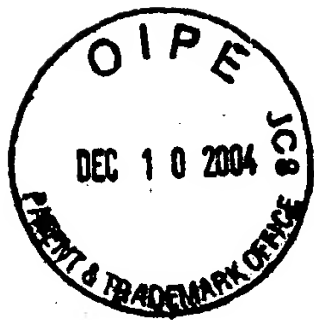
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Respectfully submitted,

DAVIS MUNCK, P.C.

Date: 8/27/2003
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Phone: (972) 628-3600
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email: rmccutcheon@davismunck.com


Robert D. McCutcheon
Registration No. 38,717



PTO/SB/08A (10-01)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449A/PTO		Complete if Known	
		Application Number	09/285,550
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)		Filing Date	04/02/1999
		First Named Inventor	Matthew W. Poisson et al.
		Art Unit	2154
		Examiner Name	S. Najjar
		Attorney Docket Number	B0435US (NORT10-00077)
Sheet	1	of	1

U.S. PATENT DOCUMENTS						
Examiner Initials [*]	Cite No. ¹	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
	AA	US-	5,862,339	01/19/1999	Bonnaure et al.	
	AB	US-	5,963,913	10/05/1999	Henneuse et al.	
	AC	US-	5,978,848	11/02/1999	Maddalozzo, Jr. et al.	
	AD	US-	6,233,618	05/15/2001	Shannon	
	AE	US-	6,243,815	06/05/2001	Antur et al.	
	AF	US-	6,256,739	07/03/2001	Skopp et al.	
	AG	US-	6,304,909	10/16/2001	Mullaly et al.	
	AH	US-	6,369,840	04/09/2002	Barnett et al.	
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FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No. 1	Foreign Patent Document		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T 6
		Country Code 3	- Number 4 - Kind Code 5 (if known)				
						</	

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

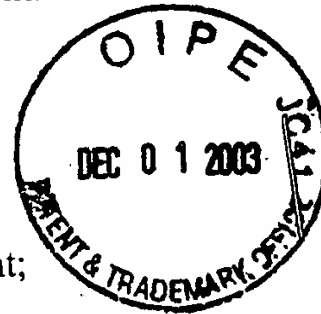
¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Mailed: November 26, 2003
In re. Application of: Matthew W. Poisson, et al:
Serial No.: 09/285,550
Filed: April 2, 1999
Title: MONITORING A VIRTUAL PRIVATE NETWORK
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- 5) Change of Correspondence Address;
- 6) Copy of Power of Attorney or Authorization of Agent (as filed 10/29/02); and
- 7) Copy of Statement Under 37 C.F.R. 3.73(b) (as filed 10/29/02)



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DEC - 8 2003

DAVIS MUNCK

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DEC 12 2003

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5. Copy of Power of Attorney or Authorization of Agent (as filed October 29, 2002);
6. Copy of Statement Under 37 C.F.R. 3.73(b) (as filed October 29, 2002); and
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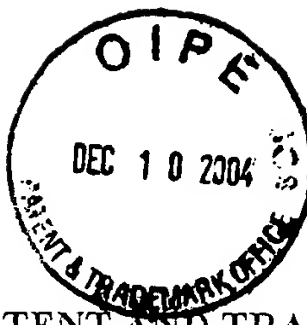
Date: 11/26/03

Date: 11/26/2003

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Respectfully submitted,

DAVIS MUNCK, P.C.

Date: 11/26/2003

A handwritten signature in cursive script, reading "Robert D. McCutcheon".

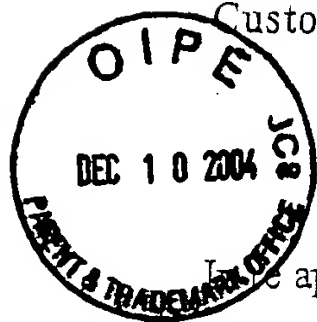
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Commissioner for Patents
Washington, D. C. 20231

Sir:

STATEMENT UNDER 37 C.F.R. 3.73(b)

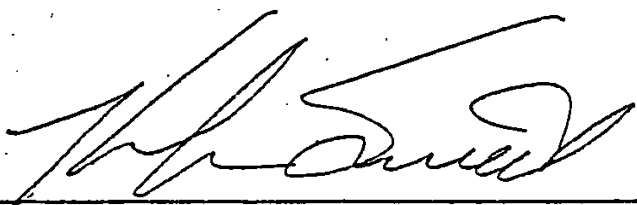
Nortel Networks Limited, a Canadian corporation, states that it is:

The assignee of the entire right, title, and interest in the patent application identified above
by virtue of:

An assignment from the inventor(s) of the patent application identified above. The
assignment was recorded in the United States Patent and Trademark Office at Reel 010038, Frame
0246, or for which a copy thereof is attached.

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Date: 20-Sep-2002

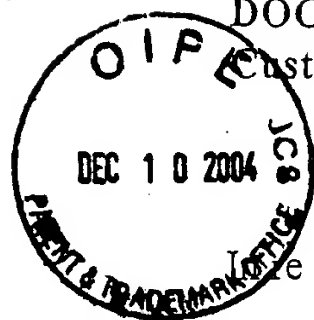


Kevin L. Smith, Reg. No. 38,620
Senior IP Attorney

DOCKET NO. BA0435US (NORT10-00077)

PATENT

Customer No. 33000



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor application of: Matthew W. Poisson, et al.

Serial No.: 09/285,550

Filed: April 2, 1999

For: MONITORING A VIRTUAL PRIVATE NETWORK

Group No.: 2154

Examiner: S. Najjar

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

INFORMATION DISCLOSURE STATEMENT

Pursuant to the duty of disclosure under 37 C.F.R. § 1.56, Applicant submits this statement.

This submittal is made in accordance with 37 C.F.R. §§ 1.97 and 1.98 and § 609 of the Manual of Patent Examining Procedure. The patents, publications and other information herein are listed below and on the attached Form PTO/SB/08A. Copies of the listed references are submitted herewith.

U.S. PATENT NO.

INVENTOR

DATE

5,864,604

Moen et al.

January 26, 1999

Applicant hereby expressly reserves the right to swear behind the effective dates of any of the above Patents and to question the relevance and materiality of the Patents and Publications listed

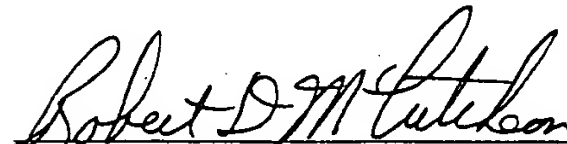
herein, in whole, in part, or in combination, subsequent to filing this Information Disclosure Statement.

No fee is believed to be due for the filing of this Information Disclosure Statement.

Respectfully submitted,

DAVIS MUNCK, P.C.

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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>				Application Number	09/285,550
				Filing Date	04/02/1999
				First Named Inventor	Matthew W. Poisson et al.
				Art Unit	2154
				Examiner Name	S. Najjar
				Attorney Docket Number	B0435US (NORT10-00077)
Sheet	1	of	1		

[illegible][illegible]

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.**